



City of Colorado Springs

Regular Meeting Agenda - Final City Council

City Hall
107 N. Nevada Avenue
Colorado Springs, CO
80903

City Council meetings are broadcast live on Channel 18. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.

Tuesday, May 10, 2016

1:00 PM

Council Chambers

1. Call to Order

2. Invocation and Pledge of Allegiance

3. Changes to Agenda/Postponements

4. Consent Calendar

These items will be acted upon as a whole, unless a specific item is called for discussion by a Councilmember or a citizen wishing to address the City Council. (Any items called up for separate consideration shall be acted upon following the Mayor's Business.)

4A. Second Presentation:

4A.A. [16-244](#)

Ordinance No. 16-51 amending Ordinance No. 15-86 (2016 Appropriation Ordinance) for a supplemental appropriation to the Pikes Peak - America's Mountain Fund in the amount of \$150,000 for the Pikes Peak Summit Complex Project

Presenter:

Jack Glavan, Pikes Peak - America's Mountain Manager - Parks, Recreation and Cultural Services Department

Attachments: [4-11-16 - Supp Ordinance for PPHwy for Summit project - final](#)

- 4A.B.** [16-277](#) Ordinance No. 16-52 amending Section 105 (Additional Standards For Specific Land Uses Allowed In Residential Zones) of Part 1 (Residential Districts) of Article 3 (Land Use Zoning Districts) Of Chapter 7 (Planning, Development And Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Personal Cultivation of Marijuana and Medical Marijuana.

Presenter:

Peter Wysocki, Director of Planning and Community Development

Attachments: [051016 MJ Plant Count Residential Ordinance.docx](#)

- 4A.C.** [16-291](#) Ordinance No. 16-53 amending Section 302 (Definitions Of Use Types) of Part 3 (Land Use Types And Classifications) of Article 2 (Basic Provisions, Definitions And Land Use Types And Classifications) and Sections 203 (Permitted, Conditional And Accessory Uses) and 205 (Additional Standards For Specific Land Uses) of Part 2 (Commercial Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development And Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Medical Marijuana Facilities.

Presenter:

Peter Wysocki, Director of Planning and Community Development

Attachments: [042616 MMJ Zoning and Use Tables Ordinance](#)

- 4A.D.** [16-275](#) Ordinance No. 16-54 amending Section 205 (Additional Standards For Specific Land Uses) of Part 2 (Commercial Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development And Building) of the Code of the City Of Colorado Springs 2001, as amended, pertaining to Medical Marijuana Centers.

Presenter:

Peter Wysocki, Director of Planning and Community Development

Attachments: [051016 MMJ Facility 1000 Foot Buffer.docx](#)

- 4A.E.** [16-276](#) Ordinance No. 16-55 creating a new Section 210 (Personal Cultivation of Medical Marijuana) of Part 2 (Other Dangerous Weapons and Substances) of Article 7 (Dangerous Weapons and Substances) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, pertaining to personal cultivation of medical marijuana

Presenter:

Larry Bagley, Council Member

Attachments: [MMJ_PersonalCultivationORD-2016-04-06](#)

- 4A.F. [16-278](#)** Ordinance No. 16-56 amending Section 107 (Application Investigation; Decision), Section 108 (Suspension or Revocation; Hearings; Decision), and Section 109 (Unlawful Acts) of Part 1 (Medical Marijuana License Code) of Article 2 (Marijuana) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the code of the City of Colorado Springs 2001, as amended, pertaining to Medical Marijuana License Code

Presenter:
Councilmember Larry Bagley
City Clerk Sarah Johnson

Attachments: [MMJ-LicenseCode-4-27-16.docx](#)
[MJ Enforcement42616.pptx](#)

4B. First Presentation:

- 4B.A. [16-367](#)** City Council Special Session April 20, 2016

Presenter: Sarah Johnson, City Clerk

Attachments: [2016-04-20 Special Session Draft](#)

- 4B.B. [16-366](#)** City Council Meeting Minutes April 26, 2016

Presenter: Sarah Johnson, City Clerk

Attachments: [2016-04-26 Minutes Draft](#)

- 4B.C. [16-388](#)** Appointments to Boards and Commissions

Presenter:
Jacquelyn Puett, Assistant to Council

Attachments: [051016 Boards and Commissions](#)

- 4B.D. [16-324](#)** A Resolution Authorizing The Acquisition Of Property Owned By Mark T. Elliott And Jodene M. Elliott Pursuant To The Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP)

Presenter:
Tim Mitros, Engineering Program Manager, Office of Emergency Management

Attachments: [Exhibit C 1522 Custer - Site Map referenced in memo](#)
[Final Resolution Acquisition ELLIOTT-FEMA Grant-2016-03-28](#)
[Exhibit A 1522 Custer - referenced in Resolution](#)
[Exhibit B 1522 Custer - referenced in Resolution](#)

- 4B.E.** [16-344](#) A resolution finding a petition for annexation of the area known as Kum & Go Store 685 Annexation consisting of 7.711 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of June 14, 2016 for the Colorado Springs City Council to consider the annexation of the area.
(Legislative)

Presenter:

Michael Schultz, AICP, Principal Planner
Peter Wysocki, Planning and Development Director, Planning and Community Development

Attachments: [Resolution to set Hearing Date Kum and Go Store 685](#)
[PUBLIC NOTICE Kum and Go 685](#)
[Exhibit A Legal Description - Kum and Go Store 685](#)
[Vicinity Map](#)
[State Statute 31-12-107 108](#)

- 4B.F.** [16-280](#) A Resolution Authorizing the Purchase of Fountain Mutual Irrigation Company Stock and Associated Water Rights Owned by Comanche Resources, LLC for Colorado Springs Utilities; and Authorizing the Execution of Closing Documents

Presenter:

Wayne Vanderschuere, General Manager, Planning, Engineering and Resource Management, Water Services Division, Colorado Springs Utilities
Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments: [Resolution--Purchase of FMIC Comanche Water Rights](#)
[Comanche Resources FMIC Purchase and Sale Agreement 12-2-15](#)

5. Recognitions

- 5.A.** [16-341](#) A Resolution of Appreciation recognizing May 15-21, 2016 as National Public Works Week

Presenter:

Travis Easton, Public Works Director

Attachments: [Resolution-National Public Works Week 2016](#)

6. Citizen Discussion

7. Mayor's Business

7.A. [16-312](#) Nomination to appoint Kristen Hoffecker as a Municipal Court Judge.

Presenter:
Mayor John Suthers

Attachments: [CV- Kristen Hoffecker_Redacted](#)
[Municipal Court Judge Appointments-signed](#)

7.B. [16-313](#) Nomination to appoint Matthew Ramirez as a Municipal Court Judge.

Presenter:
Mayor John Suthers

Attachments: [CV - Matthew D Ramirez_Redacted](#)
[Municipal Court Judge Appointments-signed](#)

7.C. [16-314](#) Nomination to appoint Joseph Dirscherl as a Municipal Court Judge.

Presenter:
Mayor John Suthers

Attachments: [CV - Joe Dirscherl_Redacted](#)
[Municipal Court Judge Appointments-signed](#)

8. Items Called Off Consent Calendar

9. Utilities Business

9.A. [16-337](#) Request to Establish a Public Hearing Date of June 14, 2016 for the Consideration of a Resolution Regarding Changes to Electric Rate Schedule, Industrial Service - Time-of-Day 1,000 kWh/day Minimum (ETL) Rates within the Service Areas of Colorado Springs Utilities

Presenter:
Sonya Thieme, Rates Manager, Colorado Springs Utilities
Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

10. Unfinished Business

10.A. [16-329](#)

Ordinance No. 16-57 creating a twelve (12) month moratorium on the processing of any land use approval or licensing application for a new medical marijuana facility or the change of location of a currently operating medical marijuana facility within the City limits

Presenter:

Councilmember Larry Bagley

Attachments:

[042516 MMJ-MoratoriumORD-2016-04-21v2](#)

[042516 MMJ Moratorium slides](#)

[041116 MMJ task force slides](#)

11. New Business**12. Public Hearing****13. Added Item Agenda****14. Executive Session****15. Adjourn**